

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

SHAUN DUPREE DEAN, JR.,
Plaintiff,
v.
SACRAMENTO COUNTY, et al.,
Defendants.

No. 2:25-cv-0160 CKD P

ORDER AND
FINDINGS AND RECOMENDATIONS

Plaintiff is a state prisoner proceeding pro se and seeking relief pursuant to 42 U.S.C. § 1983. This proceeding was referred to this court by Local Rule 302 pursuant to 28 U.S.C. § 636(b)(1).

The court is required to screen complaints brought by prisoners seeking relief against a governmental entity or officer or employee of a governmental entity. 28 U.S.C. § 1915A(a). The court must dismiss a complaint or portion thereof if the prisoner has raised claims that are legally “frivolous or malicious,” that fail to state a claim upon which relief may be granted, or that seek monetary relief from a defendant who is immune from such relief. 28 U.S.C. § 1915A(b)(1),(2). Plaintiff’s amended complaint is before the court for screening.

Plaintiff seeks damages against Sacramento County, Sacramento County judges, and Sacramento County assistant district attorneys for alleged violations of state and federal law

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1 committed during plaintiff's prosecution. It appears plaintiff's convictions and sentences are on
2 appeal.

3 There are several problems with plaintiff's claims. Most notably, plaintiff cannot proceed
4 on any claim for damages implying the invalidity of his convictions or sentences, Heck v.
5 Humphrey, 512 U.S. 477, 487 (1994), as plaintiff's claims do. Therefore, plaintiff's amended
6 complaint must be dismissed for failure to state a claim upon which relief can be granted. Since it
7 does not appear plaintiff can state any actionable claim premised upon the allegations in
8 plaintiff's amended complaint, granting plaintiff leave to amend a second time is futile.

9 In accordance with the above, IT IS HEREBY ORDERED that the Clerk of the Court
10 assign a district court judge to this case.

11 IT IS HEREBY RECOMMENDED that:

12 1. Plaintiff's amended complaint be dismissed for failure to state a claim upon which
13 relief can be granted; and

14 2. This case be closed.

15 These findings and recommendations are submitted to the United States District Judge
16 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days
17 after being served with these findings and recommendations, plaintiff may file written objections
18 with the court. The document should be captioned "Objections to Magistrate Judge's Findings
19 and Recommendations." Plaintiff is advised that failure to file objections within the specified
20 time waives the right to appeal the District Court's order. Martinez v. Ylst, 951 F.2d 1153 (9th
21 Cir. 1991).

22 Dated: September 9, 2025

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24 CAROLYN K. DELANEY
25 UNITED STATES MAGISTRATE JUDGE
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